

Internal Revenue Service, Treasury

§ 1.403(b)-1

TABLE I—VALUE AT NORMAL RETIREMENT AGES OF ANNUITY OF \$1.00 PER ANNUM PAYABLE IN EQUAL MONTHLY INSTALLMENTS DURING THE LIFE OF THE EMPLOYEE—Continued

[For taxable years beginning after July 1, 1986]

Ages	Values
62	8.62
63	8.44
64	8.25
65	8.08
66	7.88
67	7.70
68	7.50
69	7.29
70	7.10
71	6.88
72	6.68
73	6.46
74	6.25
75	6.03
76	5.82
77	5.61
78	5.40
79	5.20
80	4.99

NOTE: If the normal form of retirement benefit under the plan is other than a straight life annuity, the value from Table I above should be divided by the figure set forth below opposite the normal form of retirement benefit provided by the plan:

Annuity for 5 years certain and life thereafter	0.97
Annuity for 10 years certain and life thereafter	0.90
Annuity for 15 years certain and life thereafter	0.80
Annuity for 20 years certain and life thereafter	0.70
Life annuity with installment refund	0.80
Life annuity with cash refund ¹	0.75

¹The term "cash refund" refers to refund of accumulated employer contributions, and does not refer to refund of employee contributions only, often referred to as "modified cash refund".

TABLE II—LEVEL ANNUAL CONTRIBUTION WHICH WILL ACCUMULATE TO \$1.00 AT END OF NUMBER OF YEARS

[For taxable years beginning after July 1, 1986]

Number of years	Amounts
1	\$1.0000
2 .....	.4808
3 .....	.3080
4 .....	.2219
5 .....	.1705
6 .....	.1363
7 .....	.1121
8 .....	.0940
9 .....	.0801
10 .....	.0690
11 .....	.0601
12 .....	.0527
13 .....	.0465

TABLE II—LEVEL ANNUAL CONTRIBUTION WHICH WILL ACCUMULATE TO \$1.00 AT END OF NUMBER OF YEARS—Continued

[For taxable years beginning after July 1, 1986]

Number of years	Amounts
14 .....	.0413
15 .....	.0368
16 .....	.0330
17 .....	.0296
18 .....	.0267
19 .....	.0241
20 .....	.0219
21 .....	.0198
22 .....	.0180
23 .....	.0164
24 .....	.0150
25 .....	.0137
26 .....	.0125
27 .....	.0114
28 .....	.0105
29 .....	.0096
30 .....	.0088
31 .....	.0081
32 .....	.0075
33 .....	.0069
34 .....	.0063
35 .....	.0058
36 .....	.0053
37 .....	.0049
38 .....	.0045
39 .....	.0042
40 .....	.0039
41 .....	.0036
42 .....	.0033
43 .....	.0030
44 .....	.0028
45 .....	.0026
46 .....	.0024
47 .....	.0022
48 .....	.0020
49 .....	.0019
50 .....	.0017

(5) *Election to have allowance determined under section 415 rules.* Under section 415(c)(4)(D), an employee may elect to have the provisions of section 415(c)(4)(C) (relating to special limitations for annuity contracts purchased by educational organizations, hospitals and home health service agencies) apply for a taxable year. If the employee so elects, his exclusion allowance is the maximum amount under section 415 that could be contributed by the employer for the benefit of the employee if the annuity contract for the benefit of the employee were treated as a defined contribution plan maintained by the employer. Thus, the exclusion allowance for the taxable year of an employee who makes the election

may not exceed the limitation on contributions and other additions (as described in § 1.415-6) applicable to the employee for that taxable year. See § 1.415-7 for provisions applicable in the event an employer maintains a defined benefit plan and a defined contribution plan for the same employee. See § 1.415-8 for provisions applicable in the event an employer maintains more than one defined contribution plan covering the same employee.

(e) *Includible compensation*—(1) *In general.* For purposes of computing, under paragraph (d) of this section, an employee's exclusion allowance for a taxable year, such employee's includible compensation in respect of such taxable year means the amount of compensation from the employer—

(i) Which was earned during the most recent period (ending not later than the close of the employee's taxable year for which the exclusion allowance is being determined) that, under paragraph (f) of this section, may be counted as one-year of service,

(ii) Which is includible in the employee's gross income, and

(iii) In the case of an employee of an employer described in paragraph (b)(1)(ii) of this section, which is attributable to services performed for an educational institution (as defined in section 151(e)(4)).

See subparagraph (2) of this paragraph for special rules for determining the amount of compensation which is includible in the employee's gross income.

(2) *Special rules for determining the amount of compensation includible in the employee's gross income.* For purposes of subparagraph (1) of this paragraph, the amount of compensation which is includible in the employee's gross income shall be computed without regard to the exclusions allowed by section 105(d) (relating to wage continuation plans) and section 911 (relating to earned income from sources without the United States). Therefore, although amounts received by the employee from the employer while he is absent from work on account of personal injuries or sickness may be excludable from his gross income under section 105(d), such amounts are, nevertheless, considered as includible in his gross in-

come for purposes of computing his includible compensation. On the other hand, in computing the amount which is includible in the gross income of the employee for purposes of subparagraph (1) of this paragraph, there shall not be included any amount which is contributed by the employer for an annuity contract to which paragraph (b) of this section applies. Thus, although the amount of any employer contributions for an annuity contract to which paragraph (b) of this section applies is, to the extent it exceeds in any taxable year the employee's exclusion allowance for such year, includible in the employee's gross income for that year, such amount is not considered as includible in the employee's gross income for purposes of computing his includible compensation for that year.

(3) *Period during which compensation must be earned.* For purposes of computing an employee's exclusion allowance for a taxable year, there may not be taken into account, as includible compensation, any compensation which was earned by the employee during a taxable year ending after the taxable year for which the exclusion allowance is being determined. On the other hand, an employee's includible compensation may include all or part of his compensation earned during a taxable year prior to the taxable year for which the exclusion allowance is being determined. Such a situation can occur, for example, when an employer purchases an annuity contract for a retired employee, or when an employer purchases an annuity contract for a part-time employee whose most recent one-year period of service (within the meaning of paragraph (f) of this section) extends over more than one taxable year of such employee. For purposes of this subparagraph, it is immaterial when the compensation is actually received by the employee or for what taxable year it is includible in his gross income.

(4) *Status of employer.* In computing an employee's exclusion allowance for a taxable year, there is not taken into account, as includible compensation, any compensation which was earned during a period when the employer was not an employer described in paragraph (b)(1) (i) or (ii) of this section since